

88.C:74

Ordinance No. 109931

AN ORDINANCE repealing Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), relating to the licensing and regulation of Charitable Solicitations.

6-3-81 PS+J PASS

COMPTROLLER

FILE NUMBER _____

Council Bill No. 102137

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PASSED OVER VETO:	VETO SUSTAINED:

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(To be used for all Ordinances except Emergency.)

ORDINANCE 109931

AN ORDINANCE repealing Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), relating to the licensing and regulation of Charitable Solicitations.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), and Section 3 of Ordinance 105430 (Seattle Municipal Code 6.12), and all other Ordinances or parts thereof in conflict herewith are hereby repealed.

Section..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 8th day of June, 1981,
and signed by me in open session in authentication of its passage this 8th day of
June, 1981.

[Signature]
President of the City Council.

Approved by me this 10th day of June, 1981.
[Signature]
Mayor.

Filed by me this 10th day of June, 1981.

[Signature]
Attest: City Comptroller and City Clerk.

(SEAL)

Published.....

By [Signature]
Deputy Clerk.

REC'D 'OMB' FEB 19 1981

801983

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

February 19, 1981

Honorable Paul Kraabel, President
Seattle City Council
11th Floor, Municipal Building
Seattle, WA 98104

VIA OMB and MAYOR

Dear Councilman Kraabel:

As part of the revision of the Seattle License Code, the Department of Licenses and Consumer Affairs has reviewed the Charitable Solicitation License, and found it costly, duplicative, burdensome, and ineffective. The Charitable Solicitation License:

- Consumes 1/25 of the inspection time available for all City licenses; this is more than 5 times the enforcement resources allocated for other regulatory licenses;
- Duplicates the State licensing efforts;
- Taxes legitimate charities;
- Requires additional paperwork for both charities and the Department of Licenses and Consumer Affairs; and
- Does not control the fly-by-night charities which pose the public hazard against which the license was designed to protect.

Additionally, the United States Supreme Court recently held unconstitutional a limitation on the administrative costs of direct solicitation. In a March 25, 1980, opinion the City Law Department said that a similar provision in Seattle's Ordinance is probably unconstitutional. Therefore, the only protection provided by disclosure has been destroyed, and the license provides little protection to the public.

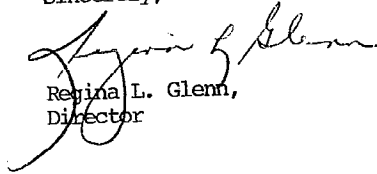
I therefore recommend that the Charitable Solicitation License (Ordinance 48022 Sections 347.1 - 357) be repealed.

I further recommend that Section 358.1 pertaining to begging and street musicians be repealed because it is unconstitutionally unenforceable and a non-license matter.

Honorable Paul Kraabel, President
February 19, 1981
Page 2

A background report is attached for your information. I will be pleased to discuss this recommendation with you at your convenience. My number is 625-2536.

Sincerely,

A handwritten signature in cursive script, appearing to read "Regina L. Glenn".

Regina L. Glenn,
Director

RLG:JSB:EDB:ml

Attachment

REPORT AND PROPOSED REPEAL OF THE
CHARITABLE SOLICITATION LICENSE

February 5, 1981

Prepared as a part of the Comprehensive
License Code Revision Project, by the Department
of Licenses and Consumer Affairs

Charles Royer, Mayor
Regina L. Glenn, Director
Jean Schiedler-Brown, License Code Revisor

REPORT AND PROPOSED REPEAL OF THE
CHARITABLE SOLICITATION LICENSE

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LICENSE CODE REVISION
CHARITABLE SOLICITATION LICENSE

RECOMMENDATIONS:

- I. Repeal the Charitable Solicitation License for the following reasons:
 1. It consumes 1/25 of the inspection time available for all City licenses: this is more than 5 times the enforcement resources allocated for other regulatory licenses;
 2. It duplicates the State licensing efforts;
 3. It taxes legitimate charities;
 4. It requires additional paperwork for both charities and the Department of Licenses and Consumer Affairs;
 5. It does not control the fly-by-night charities which pose the public hazard against which the license was designed to protect;
 6. Its disclosure requirement of the promotional plan is a constitutionally invalid prior restraint on Free Speech; and
 7. Its 20% limitation on the administrative costs of direct solicitation is unconstitutional.
- II. Repeal Section 358.1 of Ordinance 48022 pertaining to begging and street musicians for the following reasons:
 1. It is unconstitutional;
 2. It is a non-license provision and therefore not appropriately included in the License Code; and
 3. It is unenforceable.

I. BACKGROUND INFORMATION

The current Charitable Solicitation License Ordinance was passed in 1976. The purpose of the charitable solicitation provisions of the License Code was defined as: "to protect the general public and public charity in the City by: (1) requiring full public disclosure of facts relating to persons and organizations soliciting funds from the public for charitable purposes, the purposes for which such funds are solicited, and the actual use of such funds; and by (2) prohibiting deceptive and dishonest statements and conduct in the solicitation of funds for or in the name of charity," Ordinance 48022, Section 347.1, copy attached as Appendix A.

Charitable Solicitation Licenses expire one year from the date they are issued. The fee charged is dependent upon the amount the charity expects to raise that year, and whether or not the services of professional fundraisers or solicitors will be used by the charity as follows:

<u>Cost of License</u>	<u>Criteria for License</u>	<u>Number of Licenses Current as of 8/8/80</u>
\$10.00	Solicitation of less than \$5,000 per year without the aid of professional fundraisers	75
\$60.00	Solicitation of more than \$5,000 per year, or with the aid of professional fundraisers	86
Total		161

In 1980 there were 162 licenses. In 1979 there were 236 licenses. In 1978 there were 257 licenses.

There are many exemptions from licensure under the Seattle Charitable Solicitation License Ordinance. These include solicitations: for any religious purpose; by an organization's officers or members not paid for such services of the members; of less than \$5,000 per year by unpaid persons other than the named individual they are solicited for, and delivered to that individual; by governments for governmental purposes; by organizations which have no professional fundraisers, do not solicit in public or door-to-door, and raise less than \$5,000 per year; by licensed gambling; by radio stations, television stations, or by newspapers; and by subsidiaries of licensed parent organizations.

The Seattle Charitable Solicitation License Provisions nearly duplicate those of the State of Washington. While the State does not license charities that solicit less than \$10,000 per year unless they use professional fundraisers or solicitors, the State does require that every charity in Washington State obtain a license or file an exemption form.

(Seattle does not require an exemption form.) The exemptions from licensure for both licenses are nearly the same. In addition, charities must contend with regulation from many other government bodies (see Appendix B).

Revenue From Charitable Solicitation License Fees

1980	\$6,403.50
1979	\$7,677.00
1978	\$9,266.50

The Ordinance also contains non-license provisions prohibiting begging and creating restrictions for street musicians.

II. HAZARD ANALYSIS

A. Charitable Solicitation

The Charitable Solicitation License was enacted in 1976 as a consumer protection measure aimed at preventing fraudulent misrepresentation, or deceptive practices, by those holding themselves out as charities. Prevention was to be achieved by disclosure and by making certain acts unlawful. The Department of Licenses and Consumer Affairs receives an estimated average of two complaints a month, with the bulk of complaints coming at Christmas. No complaints have reached the written stage. No license has been revoked, although renewal was denied once. There are also inquiries about charities approximately twice a week. There is no data to prove that enforcement of the City License is providing real protection to the public. There are two reasons for this. First, the City License covers charitable solicitations of less than \$10,000 per year by organizations that do not use professional fundraisers; and second, the cost of adequately enforcing the City License is prohibitive. Therefore, the license must be revised or repealed.

1. Disclosure

Review of the license application provides the only screening of disclosures unless there is a complaint. The Enforcement Section does not have the personnel to provide thorough on site investigation and audit of all applications. Instead, applications are reviewed for items obviously improper or inconsistent. Thus, a "charity" can misrepresent its charitable status, charitable purpose, use of funds, and use of professional fundraisers if it chooses, without any real difficulty. Also, there is no canvas or other method of determining that a "charity" has not filed an application unless there is a complaint.

2. Financial Statements

Sixty dollar licensees, charities that solicit more than \$5,000 per year and/or use professional fundraisers, must file their financial records with the Director 120 days after the end of the charity's financial year. The financial statements are screened for internal consistency when they come to the Department, but there is no field check of their truthfulness or accuracy.

Ten dollar licensees, charities that solicit less than \$5,000 per year and do not use professional fundraisers, are not required to file financial statements. This means that there is no review of how funds are spent, who receives funds, or even if the \$5,000 limit for the \$10 licensees has been exceeded.

While the Director has the authority to check charities' records at any reasonable time, this discretion has never been exercised, due to lack of field audit staff.

3. Dishonest Practices

Enforcement of the provisions prohibiting dishonest practices is nearly impossible because of the personnel level that would be required to do a thorough job. The ordinance prohibits unauthorized use of a person's name; nondispersal of profits to the intended beneficiaries; misleading use of similar names, slogans or symbols; solicitations by minors who are not members of the organization to be benefited; unmonitored coin boxes; and dishonest statements. Adequate enforcement would require that the investigator be aware of any of these practices occurring throughout Seattle. But there is only one part-time investigator, who is also in-part responsible for investigating Seattle's 83 regulatory and revenue licenses, available for this task. Thus, unless there is a complaint, or unless the investigator happens upon the violation, nothing can be done to prevent it.

4. License Application

The exemptions to the Charitable Solicitation License create loopholes that seriously impede enforcement. Exemptions are imprecisely defined and enforcement of them is cumbersome and labor-intensive.

For instance, the First Amendment prohibits regulation of religions, therefore all religious charities are exempted when they solicit for religious purposes; however, religious purposes are not defined. Solicitations of an organization's members by members or officers who are not paid for such services are exempted; however, unless a charity files an application, there is no check to see if they have exceeded the \$5,000 limit, or to see if the funds are delivered to the correct person. Charities that do not employ professional fundraisers, collect less than \$5,000 per year, and do not do business door-to-door or in public are exempted; however, unless there is a complaint, there is no check on them. Written announcements are not solicitations in this section, and therefore, there is a large loophole for written announcements that solicit. The exemption for T.V. stations, radio stations, and newspapers does not make it sufficiently clear that this must

be for the benefit of these businesses and not via these medias. Unlike the State, Seattle has no requirement that an exemption declaration be filed. Therefore, a "charity" operating without a license could make an argument that they believed that they were exempted and avoid penalty. Those people wishing to avoid being licensed can do so by using these exemption loopholes.

The current ordinance has a provision for a short form which may be used by charities that intend to solicit less than \$5,000 per year. Of licenses current August 8, 1980, 46.5% were short form. Its basic difference from the long form is that it is not required to be notarized.

The Charitable Solicitation Ordinance permits charities that are licensed by the State to file the State papers in lieu of the City form. This was done by 3.73% of the licensees current as of August 8, 1980. This does not mean there is no duplication, because 2.48% of the charities used professional fundraisers and 43.48% solicit more than \$10,000 per year. In other words, the list of City licensees duplicates the State licensees 47.20% of the time.

The Law Department in a March 25, 1980 opinion said that several grounds used to deny licenses are possibly unconstitutional. The provision limiting the administrative costs of direct solicitation to 20% may be invalid after the 1980 United States Supreme Court ruling in Village of Schaumburg v. Citizens for a Better Environment. Also, according to the same Law Department opinion, the review and provisional okay on promotional plans may be a prior restraint on Free Speech.

5. Enforcement Time

The Enforcement Section has only one investigator working on Charitable Solicitation in the entire City. He must also enforce all other regulatory licenses for one eighth of the City. It has been estimated that to do the job adequately, the Enforcement Section would have to spend the following amounts of time per license:

- o 30 minutes to do a thorough check of the information on the application.
- o 60 minutes to process the application.
- o 30 minutes to do a thorough check of information on the financial statements.
- o 15 minutes to do renewals or updates on the information.
- o 3 hours to review the charity's records and books on a regular basis.

TOTAL: 5 hours and 15 minutes per license.

Time would be needed to do informational searches on charities for the public. Additionally, if it were necessary, each complaint would require an elapsed two-day period to investigate, and pursuite of a violation in court would take 3 days absolute time.

As of August 8, 1980, there were 161 current licensees. There were 236 licensees in 1979, and 257 licensees in 1978. Enforcement of this license currently requires 1/25 of the total time allocated for investigating all 83 City regulatory licenses and revenue licenses for all businesses in the City. There is no way of telling if the City licenses everyone it should. There may be many unlicensed Charitable Solicitations. To do a thorough job of investigating the 161 licenses would come to 845.25 work hours, excluding informational search time, time spent on complaints, and time in court. Adequate enforcement would require that one of the City's ten investigators spend more than half his/her time exclusively enforcing the Charitable Solicitation License, providing that the current 161 licensees represent all the groups making Charitable Solicitations in Seattle. Enforcement at this higher level would require 1/20 of the time available for all 83 City licenses to attempt to enforce a license that is unenforceable - four times the allocated share of inspector time excluding revenue provisions.

B. Begging and Street Musicians

Section 358.1 of Ordinance 48022 contains a prohibition against begging and limitations on street musicians. In a September 2, 1980 Opinion, the Law Department said:

We generally advise that the Section (358.1) is probably offensive to the free speech, equal protection and due process clauses of the United States Constitution and therefore unenforceable.

Later in the Opinion, the Law Department said: "Section 358.1 is not constitutional." Therefore, this section should not continue as part of the License Code Ordinance, especially since prohibitions on begging and limitations on street musicians are non-license concerns.

1. Begging

Besides the constitutional pitfalls of Section 358.1, the prohibition against begging should be eliminated from the License Code because it is impossible for the Department of Licenses and Consumer Affairs to enforce this non-license provision. If public begging is a problem, then a provision explicitly making it unlawful should be included in the Criminal Code (Ordinance 102843).

2. Street Musicians

Street musicians create two problems that other people may not. The first is noise, the second is congestion. The Noise Ordinance (Ordinance 106360) provides standards that are also applicable to street musicians. Congestion could be controlled by street use permits. The limitations on street musicians are non-license provisions that should not be included in the License Code Ordinance.

III. RECOMMENDATIONS

Because the Seattle Charitable Solicitation License duplicates the State licensing efforts; consumes 1/25 of the inspection time allocated for all City licenses without impacting upon the real hazards; would be prohibitively expensive to adequately enforce; taxes legitimate charities; requires additional paperwork for both charities and the Department of Licenses and Consumer Affairs; and is at least in part unconstitutional, I recommend that the Charitable Solicitation License (Ordinance 48022, Sections 347.1-358.1) be repealed.

I recommend that Ordinance 48022, Section 358.1 be repealed because begging and street musicians are non-license problems, and because the Law Department has said in a September 2, 1980 opinion that this section is not constitutional.

APPENDIX A

Sections
347 through
359.7

Repealed by Ordinance 105430, passed March 26, 1976.

Charitable Solicitation

Section
347.1 -

6.14

PURPOSE: The purpose of the charitable solicitation provisions of the License Code is to protect the general public and public charity in the City by: (1) requiring full public disclosure of facts relating to persons and organizations soliciting funds from the public for charitable purposes, the purposes for which such funds are solicited, and the actual use of such funds; and by (2) prohibiting deceptive and dishonest statements and conduct in the solicitation of funds for or in the name of charity.

Section
347.2

DEFINITIONS: The following words and terms as used in Sections 347.1 through 358.1 of this ordinance shall have the definitions provided below unless a different meaning clearly appears from the context.

- (A) "Charitable" means and includes any activity or pursuit which has as its object, or which purports to have as its object, the benefit or improvement of any person economically, educationally, morally, physically, or socially, and for which full and fair consideration, financial or otherwise, is neither requested nor received from the benefiting person.
- (B) "Charitable organization" means any benevolent, philanthropic, patriotic, civic, educational, social, recreational or fraternal organization, or any other person having or purporting to have a charitable purpose.
- (C) "Compensation" means salaries, wages, fees, commissions, bonuses or any other remuneration or valuable consideration.
- (D) "Contribution" means the donation, promise, or grant, for consideration or otherwise, of any money, rights or property of any kind or value which is wholly or in part induced by solicitation. Reference to the dollar amount of a "contribution" or a "solicitation", in the case of a payment or promise to pay for merchandise or rights of any description, shall refer to the value of the total amount paid or promised to be paid for such merchandise, or rights, and not merely that portion of the purchase price to be applied to a charitable purpose.
- (E) "Cost of Solicitation" means and includes all costs, expenditures, debts, obligations, compensation or other money or thing of value paid or incurred in making a solicitation for a direct gift or conducting a sale and benefit affair.
- (F) "Direct Gift" means an outright contribution of food, clothing, money, credit, property, financial assistance or other thing of value to be used for a charitable purpose and for which the donor receives no consideration or thing of value in return.

- (G) "Membership" means a status or relationship in which for the payment of fees, dues, or assessments, an organization provides services and/or confers other rights or privileges, or professional standing, honor or other direct benefit, in addition to the right to vote, elect officers, or hold office in such organization; provided, that no person shall be deemed to be included within the membership of any organization where such membership is conferred for the making of a contribution pursuant to a solicitation.
- (H) "Parent Organization" means that part of a charitable organization which coordinates, supervises, or exercises control over policy, fund raising, or expenditures or assists or advises one or more chapters, branches or affiliates of such organization operating in the City.
- (I) "Professional Fund Raiser" means any person who, for compensation, plans, conducts, or manages any drive or campaign in the City for the purpose of soliciting contributions for or on behalf of any charitable organization or charitable purpose, or who engages in the business of or holds himself or herself out to persons in the City as independently engaged in the business of soliciting contributions for such purposes or the business of planning, conducting, managing, or carrying on any drive or campaign in the City for such solicitations; provided that the following persons shall not be deemed professional fund raisers or professional solicitors: (a) any bona fide officer or employee of a charitable organization which maintains a permanent establishment in the State of Washington, who is employed or engaged as such officer or employee principally in connection with activities other than soliciting contributions or managing the solicitation of contributions, and whose salary or other compensation is not computed on funds raised or to be raised; (b) any bona fide officer or employee of any radio station, television station, or newspaper acting within the scope of his or her employment.
- (J) "Professional Solicitor" means any person other than a professional fund raiser and not specifically excluded under paragraph (I) above, who is employed for compensation by any person or charitable organization to solicit contributions for charitable purposes from persons in the City.
- (K) "Sale and Benefit Affair" means and includes but is not limited to, an athletic or sports event, a bazaar, benefit, campaign, circus, contest, dance, drive, entertainment, exhibition, exposition, party, performance, picnic, sale, social gathering, theatre, or variety

show which the public is requested to patronize or attend or to which the public is requested to make a contribution for any charitable purpose connected therewith.

(L) "Solicitation" means any oral or written request, either direct or indirect, for a contribution, including any offer or attempt to sell property, rights, services, or other thing, in connection with which:

- (1) An appeal is made for a charitable purpose, or
- (2) The name of any charitable organization is used as an inducement for consummating the sale, or
- (3) Any statement is made which implies that the whole or any part of the proceeds from the sale will be applied toward any charitable purpose or donated to any charitable organization.

A solicitation shall be deemed completed when made, whether or not the person making it receives any contribution or makes any sale.

(M) "Subsidiary organization" means any chapter, branch or affiliate of a charitable organization.

(N) "Street musician" means anyone who engages in the playing of any musical instrument, or singing, or vocalizing with or without musical accompaniment in or upon any public street or public place within the City.

Section
348.1

LICENSE REQUIREMENTS: It is unlawful for any person to solicit contributions within the City on behalf of any charitable organization or for any charitable purpose without having a charitable solicitation license issued in accordance with this ordinance.

Section
348.2

GENERAL EXEMPTIONS TO LICENSE REQUIREMENTS AND TO THE PROVISIONS OF THIS ORDINANCE: The provisions of Sections 347.1 through 358.1 of this Ordinance shall not apply to:

- (A) Solicitations for any religious purpose.
- (B) Solicitations by an organization when the solicitation of contributions is confined to the membership of the organization, and when the solicitation is managed and conducted solely by officers and members of the organization who are not paid for such services.
- (C) Solicitations by persons requesting any contribution for the relief of named individuals other than the solicitor:
 - (1) When the solicitation is managed and conducted solely by persons who are not paid for such services; and
 - (2) When the contributions collected do not exceed five thousand dollars (\$5,000) in any twelve month period; and
 - (3) When all of the contributions collected, without any deductions

except for the actual cost of a banquet, dance, or similar social gathering, are delivered to the named beneficiary or beneficiaries.

- (D) Solicitations by government subdivisions which solicit funds for governmental purposes and which funds are subject to control, examination, or review by governmental agents or agencies.
- (E) Solicitations by any charitable organization which:
 - (1) Does not contract with professional fund raisers or professional solicitors; and
 - (2) Does not solicit door to door, or in any public street, or any place of business open to the public or any public park, provided that for the purpose of this subparagraph (2), written announcements of sales, benefits, or other activities which have a charitable purpose, are not solicitations; and
 - (3) Solicits and collects contributions in an amount less than five thousand dollars (\$5,000) in any twelve month period.
- (F) The conduct of any bingo game, raffle, amusement game, or other gambling activity regulated and licensed by the Washington State Gambling Commission pursuant to RCW Chapter 9.46 as now or hereafter amended.
- (G) Solicitations by radio stations, television stations or newspapers.

Section
348.3

SPECIAL EXEMPTION FOR SUBSIDIARIES OF PARENT ORGANIZATIONS WHICH ARE LICENSED BY THE CITY: No subsidiary organization shall be required to obtain a separate charitable solicitation license if the parent organization files an application for and is issued a charitable solicitation license.

Section
349

LICENSE APPLICATIONS:

(A) Long Form

Any charitable organization which solicits and collects in excess of five thousand dollars (\$5000) in any twelve month period, or which employs professional fund raisers or professional solicitors, shall make application for a charitable solicitation license to the Director upon a form provided by the Director. The application shall be executed under oath by an officer of the charitable organization, and shall contain, but not be limited to, the following information, or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:

- (1) The name of the charitable organization and the name under which it intends to solicit contributions:
- (2) The addresses of all offices maintained by the charitable organization within the City or if none, the local address and name of the person executing the application;

- (3) The names and addresses of all of the organization's chapters, branches, and affiliates within the City;
- (4) The names, addresses, and dates of birth of the organization's directors, trustees, officers and key personnel. The term key personnel means:
 - (a) Officers, employees or other personnel who are directly in charge of the fund raising activities of a charitable organization,
 - (b) Officers or individuals maintaining custody of a charitable organization's financial records,
 - (c) Officers or individuals who will have custody of contributions to a charitable organization;
- (5) The location of the organization's financial records relating to the solicitation conducted within the City;
- (6) A general statement of the methods by which solicitations will be made, including a statement as to whether solicitations will be conducted by voluntary unpaid solicitors, by paid solicitors, or both, and a brief narrative description of the promotional plan, and the location of any telephone solicitation facilities;
- (7) The names, addresses, and dates of birth of any professional fund raisers and professional solicitors who are acting or who have agreed to act on behalf of the charitable organization, together with a statement setting forth the terms of the arrangements for compensation of the professional fund raisers and professional solicitors;
- (8) The general purpose for which the charitable organization is organized;
- (9) Where and when the organization was legally established, the form of its organization, and its federal tax exempt status;
- (10) The purposes for which the contributions to be solicited will be used, the total amount of funds proposed to be raised, and the use to be made of any receipts therefrom;
- (11) The period of time during which the solicitation will be made;
- (12) Unless previously filed with the Director, a financial statement of any funds collected for charitable purposes by the applicant during the preceding fiscal year, which statement shall give the amount of money raised together with the cost of solicitation and final distribution of the balance; and
- (13) Such other information as may be reasonably required by the Director in the public interest or for the protection of contributors.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

(B) Short Form

Any charitable organization which solicits and collects five thousand dollars (\$5,000) or less within any twelve month period, and which does not employ professional fund raisers or professional solicitors may, in lieu of the form of application provided for in Section 349 (A) above, make application for a charitable solicitation license by filing with the Director a short form application upon a form to be provided by the Director.

If, while such application is pending or prior to the conclusion of the charitable solicitation within the City, there is any change in fact, policy, or method which would alter the information given in the application, the applicant shall notify the Director in writing thereof within five days of such change excluding Saturdays, Sundays and legal holidays.

It is unlawful for a charitable organization which executes a "short form application" to solicit and collect in excess of five thousand dollars (\$5,000) during the period for which the charitable solicitation license is issued or during its fiscal year or to employ any professional fund raiser or solicitor during said period.

(C) State Registration in Lieu of City Application.

Any charitable organization, which is currently registered as a charitable organization with the State of Washington under the provisions of RCW Chapter 19.09, as now or hereafter amended, may, in lieu of filing the completed application required by Section 349 (A) or (B), make application for a charitable solicitation license by filing with the Director duplicate copies of all information, registration and financial statements, amendments, correspondence, instruments, documents, and papers filed with the Charities Section of the Division of Professional Licenses of the State of Washington in connection with such registration.

(D) Renewal of Licenses

Any applicant previously granted a charitable solicitation license pursuant to this Ordinance may in an application for a new charitable solicitation license incorporate by specific reference information which was submitted in the previous year's application and which remains accurate.

Section
350.1

INVESTIGATION OF APPLICATIONS: The Director shall examine all charitable solicitation license applications filed under Section 349 of this Ordinance and shall make, or cause to be made, such further investigation of the application and applicant as the Director shall deem neces-

sary. Upon request by the Director, the applicant shall make available for inspection by the Director all of the applicant's books, records, and papers at any reasonable time before the license is granted, during the time the license is in effect, and within three (3) years after a license has expired.

Section
350.2

STANDARDS FOR DIRECTOR'S ACTION IN GRANTING OR DENYING CHARITABLE SOLICITATION LICENSE: A charitable solicitation license shall be granted by the Director and issued in accordance with the provisions of this Ordinance if and only if the Director finds that the following facts exist:

- (A) That the application is complete, and that all of the statements made in the application are true;
- (B) That the charitable organization is not connected in any way, either directly or indirectly, with a professional fund raiser or a professional solicitor who has within the past ten (10) years:
 - (1) Been convicted of a crime involving solicitations for or on behalf of any charitable organization or charitable purpose, or,
 - (2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or
 - (3) Been found in any civil or administrative proceedings to have committed any act of misrepresentation, deceit, or fraud.
- (C) That neither the charitable organization nor any of its officers, trustees, directors, or principals have within the past ten (10) years:
 - (1) Been convicted of any crime involving solicitations for or on behalf of a charitable organization or charitable purpose, or
 - (2) Been convicted of any crime involving misrepresentation, deceit, or fraud, or
 - (3) Been found in any civil or administrative proceeding to have committed any act of misrepresentation, deceit, or fraud.
- (D) That the total cost of the solicitation for direct gifts will not exceed twenty percent (20%) of the gross amount to be raised, or for sale and benefit affairs will not exceed fifty-five percent (55%) of the gross amount to be raised, and in any case not more than twenty percent (20%) of the gross amount to be raised shall be paid for the compensation of professional solicitors and professional fund raisers; provided, that if the total cost of the solicitation will exceed twenty percent (20%) in the case of solicitation for direct gifts, or fifty-five percent (55%) in the case of sale and benefit affairs, the Director may grant a charitable solicitation license upon a showing that:

- (1) Not more than twenty percent (20%) of the gross amount to be raised will be paid for compensation of professional solicitors and professional fund raisers; and
- (2) A method of solicitation will be used that affords full and fair disclosure to each person solicited, at the time of solicitation, of the portion of each contribution which will be given to a charitable organization or purpose.

And provided further that no such method of affording disclosure shall be used except upon the prior written approval of the Director and it shall be unlawful for a charitable organization after receiving such written approval to fail to adhere to the method of disclosure approved by the Director.

- (E) That the solicitation material and the general promotional plan are neither false, misleading, or deceptive, that they afford full and fair disclosure, and that they comply with any rules and regulations for charitable solicitation established by the Director pursuant to this Ordinance.
- (F) That the method or methods for solicitation outlined in the application do not include any of the following methods of solicitation:
 - (1) Charitable solicitation by children under fourteen years of age where the children will be paid for such solicitation or retain a portion of the solicited funds. This prohibition shall not apply where both of the following exist:
 - (a) The children are members of the organization for whose benefit the solicitation is made, and
 - (b) All funds so solicited, less permissible costs, will be expended locally and solely for the direct benefit of children in the organization.
 - (2) Delivery by mail or otherwise of any unordered merchandise;
 - (3) Solicitation by means of coin or currency boxes or receptacles except:
 - (a) When each box or receptacle is the responsibility of a person located within the State of Washington who is a bona fide member, agent, or solicitor of the soliciting organization, and
 - (b) When the responsible person is required to pick up each box or receptacle at the end of the solicitation period, and
 - (c) When the use of the boxes and receptacles in the solicitation is expressly authorized by the Director, and
 - (d) When approval is obtained from the owner or occupant of the premises before any such box or receptacle is mailed or delivered to such premises for placement or display.

A charitable solicitation license shall be valid only for the solicitations for which application is made and for the certain time period stated on its face which shall not extend past the solicitation date(s) given in the application, and which shall in no case exceed one year.

Section
351

ISSUANCE, DENIAL, SUSPENSION AND REVOCATION OF LICENSES: Except as otherwise specifically provided for in Sections 347.1 through 358.1 hereof, the issuance, denial, suspension and revocation of charitable solicitation licenses and any hearings in connection therewith shall be governed by the general provisions of this License Code.

Section
352

FEES FOR CHARITABLE SOLICITATION PERMIT: There shall be paid to the City for a charitable solicitation license the fees set forth below:

For charitable organizations which solicit and collect five thousand dollars (\$5,000) or less during their fiscal year, and which pay no compensation to professional fund raisers or professional solicitors	\$10.00
For all other charitable organizations	\$60.00

The above fees shall be paid regardless of the date of expiration of a license.

Section
353

FINANCIAL STATEMENTS:

(A) Within one hundred twenty (120) days following the close of its fiscal year, every charitable organization which has been issued a charitable solicitation license by the City and which has solicited and collected in excess of five thousand dollars (\$5,000) during its fiscal year, or which has paid any compensation to professional fund raisers or professional solicitors for their services in fund raising functions, shall file with the Director a financial statement upon such form or forms as may be prescribed by the Director and containing, but not limited to, the following information:

- (1) The gross amount of the contributions collected including written pledges;
- (2) The amount of the contributions distributed or to be distributed for charitable purposes with such details as to the manner of distribution as may be required by the Director;
- (3) The aggregate amount paid or to be paid for the cost of solicitation;
- (4) The amounts paid and to be paid to professional fund raisers and professional solicitors;
- (5) Copies of any annual or periodic reports produced by the charitable organization of its activities during or for the same fiscal period.

Whenever a charitable solicitation license has been issued to a parent organization by the City the parent shall include within

its financial statement the above financial information concerning each of its subsidiary organizations operating within the City; provided that a parent organization need not include in its financial statement information concerning any subsidiary which does not solicit and collect more than five thousand dollars (\$5,000) during its fiscal year and does not pay compensation to any professional fund raiser or professional solicitor.

- (B) In addition to the financial statement required by Section 353 (A) the Director may require that any charitable organization file within thirty (30) days after the close of any period of solicitation a special report upon such form as may be prescribed by the Director and containing for said period of solicitation the information required by Section 353 (A).
- (C) In lieu of filing the financial statements required by Section 353 (A) and (B) any charitable organization may file a financial statement relating to its Washington State or national solicitation campaign for the same period if the statement includes the same information relating to the state or national campaign for the period as that required by Section 353 (A) or (B) as the case may be.
- (D) All financial statements and reports required pursuant to Sections 353 (A), (B) and (C) shall be certified as correct by two officers authorized to sign official correspondence or documents on behalf of the charitable organization, or in the case of an individual, by such individual.
- (E) Failure to comply with any of the provisions of this Section 353 shall be sufficient cause to deny a subsequent charitable solicitation license.

Section
354

BOOKS, RECORDS AND CONTRACTS: Every charitable organization to which a charitable solicitation license has been issued shall maintain at its usual business location accurate and current books and records documenting all contributions and disbursements, and true and correct copies of all contracts between such charitable organizations and professional fund raisers, which contracts shall be in writing. Such contracts, books and records shall be retained for at least three years following the period to which they relate, and shall be available for inspection by the Director at all reasonable times.

Section
355

IDENTIFICATION CARDS: All charitable organizations to whom charitable solicitation licenses have been issued shall furnish to each of their agents, solicitors, and fund raisers and to each of the agents, solicitors, and fund raisers of any subsidiary, identification cards approved as to form by the Director. Such identification cards shall include the name of the charitable organization, the license number of the charitable organization, date of expiration of the license, the name of the solicitor, the signature of the solicitor, the signature of an appropriate official of the organization, a statement that the organization is licensed by the City and a statement which reads: "Issuance of this card does not constitute endorsement by the City of Seattle."

Identification cards may be obtained upon request from the Director. The first ten (10) cards shall be issued without charge; additional cards may be obtained upon payment of ten (10) cents per card.

The Director may authorize charitable organizations which are currently registered with the State of Washington pursuant to RCW Chapter 19.09 as now or hereafter amended or whose parent organizations are currently registered with the State and have filed current registration statements on their behalf pursuant to RCW 19.09.090 as now or hereafter amended to use identification cards approved by the State provided that the City's solicitation license number and the expiration date of the City's license are included on such cards.

It is unlawful for an individual soliciting contributions for any charitable purpose to fail to have in his or her possession the identification card required herein or to refuse to display such identification card upon the demand of any police officer of the City, any person solicited, or the Director.

A list of all agents, solicitors, professional fund raisers, and professional solicitors to whom identification cards have been provided shall be maintained by the licensee and shall be available for inspection by the Director and any police officer of the City.

Section
356

ENDORSEMENT DISCLAIMER: Issuance of a charitable solicitation license does not constitute endorsement or approval by the City of any charitable organization. It is unlawful for any person or charitable organization to claim, or imply, directly or indirectly, any such endorsement or approval by reason of having obtained a charitable solicitation license from the City.

Section
357

PROHIBITED SOLICITATION METHODS:

(A) Use of False, Misleading or Deceptive Advertisements

The Director shall have the power to order a charitable organization to cease and desist from using an advertisement that contains false, misleading or deceptive statements.

Whenever the Director determines that a charitable organization is using an advertisement that contains false, misleading or deceptive statements the Director shall issue a cease and desist order with respect to said advertisement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify in detail the statements subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of a cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order, in which case the organization shall inform all of its employees, agents, fund raisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take perma-

nent effect ten (10) days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight (48) hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of the request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent said provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the advertisement contains statements that are false, misleading or deceptive, shall either withdraw, modify or sustain the cease and desist order. A cease and desist order which is modified or sustained by the hearing examiner shall take permanent force and effect from the time that the decision of the Hearing Examiner is rendered. All hearings on cease and desist orders which take effect forty-eight (48) hours after issuance of the order shall be held within five (5) days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three (3) days of the date of the hearing.

It shall be unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to publish and distribute an advertisement containing statements subject to the provisions of such an order during the period that such a cease and desist order is in effect.

(B) Fraudulent Misrepresentation and Misstatements Prohibited.

It is unlawful for any person to directly or indirectly solicit contributions for any charitable purpose by misrepresentation of his or her name, occupation, financial condition, social condition or residence, and no person shall make or perpetrate any other misstatement, misrepresentation, deception, or fraud in connection with any solicitation for any charitable purpose in the City or in any application, statement or report filed in connection therewith.

(C) Use of a Person's Name in Solicitations:

It is unlawful for any person to use the name of any other person for the purpose of soliciting contributions for a charitable purpose from persons within the City without the written consent of such other person; provided, that such consent may be deemed to have been given by anyone who is a director, trustee, other officer, employee, agent, professional fund raiser, or professional solicitor of a person to whom a charitable solicitation license has been issued.

A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if:

- (1) The latter person's name is listed on any stationery, advertisement, brochure, or correspondence of the charitable organi-

zation or person; or

- (2) The name is used in solicitation of contributions or in any attempt to gain sponsorship or endorsement of a charitable organization or its activities.

(D) Use of a Similar Name, Symbol or Statement

The Director shall have the power to order a charitable organization to cease and desist from using any name, symbol or statement so closely related or similar to that known to be used by another charitable organization or governmental agency that the use thereof could confuse or mislead the public.

Whenever the Director determines that a charitable organization is using such a name, symbol or statement the Director shall issue a cease and desist order with respect to said name, symbol or statement and send a copy of the cease and desist order to the charitable organization by certified mail. The cease and desist order shall specify any name, symbol or statement subject to the order and shall include notice of the hearing rights granted below.

Within ten (10) days of the mailing of the cease and desist order to a charitable organization, the organization may file with the Director a written request for a hearing or a written statement confirming that the organization will comply with the terms of the cease and desist order in which case such organization shall inform all of its employees, agents, fund raisers and solicitors of the terms of the cease and desist order and of the organization's intention to comply. Every cease and desist order shall take permanent effect ten (10) days after the mailing of the order unless a hearing is requested; provided, that a cease and desist order may be issued summarily in which case it shall take effect forty-eight (48) hours excluding Saturdays, Sundays and legal holidays after the mailing of the order.

Upon the filing of a request for a hearing, the Department shall forthwith deliver a copy of such request to the Hearing Examiner who shall give notice and conduct such hearing in accordance with the procedures established in the License Code for the revocation and suspension of licenses to the extent said provisions are not inconsistent with the provisions of this section. The Hearing Examiner, based upon findings as to whether the name, symbol or statement are so closely related or similar to that known to be used by another charitable organization or government agency that the use thereof would confuse or mislead the public shall either withdraw, sustain, or modify a cease and desist order. A cease and desist order which is modified or sustained by the Hearing Examiner shall take permanent force and effect from the time that the decision of the hearing officer is rendered. All hearings on cease and desist orders which take effect forty-eight (48) hours after issuance of the order shall be held within five (5) days of a timely request for a hearing, unless a later date is agreed to by the organization, and the decision in such hearings shall be rendered within three (3) days of the date of the hearing.

It is unlawful for a charitable organization which has been notified of the issuance of a cease and desist order to use a name, symbol or statement subject to the provisions of such an order during the period that such a cease and desist order is in effect.

Section
358.1

SOLICITING FOR PRIVATE NEEDS - STREET MUSICIANS

- (A) It is unlawful for anyone to solicit contributions for himself or herself in or upon any public street or public place in the City; provided that street musicians may, subject to paragraph (B) of this section, passively accept donations in a receptacle provided for that purpose; and provided further that this section shall not apply to any activity conducted in accordance with a permit issued by the Market Master pursuant to the provisions of Ordinance No. 102826, as now or hereafter amended, or any other written permit issued therefor pursuant to ordinance.
- (B) It is unlawful for any street musician accepting donations as provided in paragraph (A) to:
- (1) Actively beg or solicit donations by word of mouth, gestures, signs or other devices, animals or second parties;
 - (2) Take part in any musical performance involving more than two performers;
 - (3) Engage in such activity before 10:00 a.m. or after 10:00 p.m. of any day;
 - (4) Use any device for the reproduction or amplification of any sound. (Amended by Ordinance No. 105430, approved March 26, 1976.)

APPENDIX B

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ORDINANCE _____

AN ORDINANCE repealing Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code, (Ordinance 48022), relating to the licensing and regulation of Charitable Solicitations.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code, (Ordinance 48022), and Sections 1, 2, and 3 of Ordinance 185430, and all other Ordinances or parts thereof in conflict herewith are hereby repealed.

APPENDIX C

INFORMATION SHEET - GOVERNMENT REQUIREMENTS

In response to inquiries received regarding licensing, registration, and reporting requirements for various charitable and non-profit organizations, we have prepared the following summary:

1. Corporations should contact Office of the Secretary of State (Washington State) for information about filing Articles of Incorporation.
2. Organizations wanting to obtain exemption from Federal income tax should contact the Internal Revenue Service (Federal).
3. For information about income tax deduction for charitable contributions, the Internal Revenue Service (Fed.) should be contacted.
4. If fund raising and solicitation activities are involved, registration under the Charitable Solicitation Act (19.09 RCW), administered by the Division of Professional Licensing (Wash.St.), may be required.
5. To determine whether registration under the Charitable Trust Act (19.10 RCW) is required, contact the Office of the Attorney General (Wash.St.).
6. Organizations which hire employees should contact the Internal Revenue Service (Fed.), the Dept. of Employment Security (Wash.St.) and the Dept. of Labor and Industries (Wash.St.) concerning requirements.
7. If bingo, raffles, amusement games or other forms of gambling are planned, licensing with the Gambling Commission (Wash.St.) may be required.
8. Some activities may involve collection of sales tax or payment of business and occupation tax to the Dept of Revenue (Wash.St.).
9. To determine whether real property owned is exempt from property tax, contact the Dept. of Revenue, Property Tax Division (Wash.St.).
10. Involvement in issuance of certain types of securities may require registration with the Securities Division (Wash.St.).
11. Seattle, Tacoma, Spokane, King County, and possibly other local governments have ordinances relating to charitable solicitation. Contact city and county offices for information.
12. Some activities require business licensing with local governments.
13. Several local governments require licensing of door-to-door solicitors and/or telephone solicitors.
14. There are certain restrictions on door-to-door solicitation by persons under the age of 18. Contact the Employment Standards Section of the Dept. of Labor and Industries (Wash.St.) for specific regulations.

This summary, prepared by the Charities Section, Division of Professional Licensing, includes those statutes and requirements of which we are aware. Depending on an organization's structure, purpose, and activities, compliance with other statutes and regulations may be required.

Addresses and phone numbers for the government agencies referred to above are listed on the back of this sheet.

APPENDIX D

Your
Seattle
Department of Licenses and Consumer Affairs

Regina L. Glenn, Director
Charles Royer, Mayor

CHARITABLE SOLICITATION QUESTIONNAIRE



As of October 31, 1980
N = 63

TO: All Charitable Solicitation Licensees
FROM: Regina L. Glenn, Director
Department of Licenses and Consumer Affairs

The Department of Licenses and Consumer Affairs is considering the revision or repeal of the Seattle Charitable Solicitation License (Ordinance 48022 Sections 347.1 - 358.1). Briefly, the Ordinance requires:

- Full public disclosure of facts relating to persons and non-religious organizations soliciting funds from the public.
- Disclosure of the purposes for which funds are solicited.
- Disclosure of the actual use of the funds.

The Ordinance prohibits:

- Deceptive or dishonest statements and conduct in the solicitations for or in the name of a charity.

Your answers and comments on the following questions would be appreciated.

1. Should this license be: ☒ revised ☒ repealed ☐ kept the same? Other ☐ 5
2. Is this license adequately protecting the public from the hazards of:
 - A. Fraudulent solicitations? Yes ☒ 34 No ☒ 12 Other ☐ 17
 - B. Deceptive and dishonest representations? Yes ☒ 34 No ☒ 16 Other ☐ 13
 - C. Profits going to other than the named beneficiaries? Yes ☒ 32 No ☒ 16 Other ☐ 15
 - D. Other hazards? _____

3. Charities in the Seattle area must also be licensed by the State. The licenses differ only in that the State does not license charities that solicit less than \$10,000 per year unless they use professional fundraisers. (The City minimum figure is \$5,000.) Does the Seattle license provide additional protections to the public?

Yes ☒ 12 No ☒ 3 If so, what are they? Other ☒ 18

Duplication of licenses will catch more local coverage.
License as proof of legitimacy.

4. Does the Seattle license unduly burden licensee? Yes ☒ 30 No ☒ 24 Other ☒ 9
If it does, is it because of the:

A. Additional paperwork Yes ☒ 29 No ☐

B. License fee Yes ☒ 24 No ☐

C. Other burdens _____

Penalizes Seattle charities. Confusion of State/City standards.
Duplication.

5. What concerns, spending limits and disclosure requirements should be addressed in order to improve the Seattle License?

6. A recent U.S. Supreme Court may invalidate the section of the Ordinance that limits expenditures for administrative costs of direct solicitation to less than 20%. Is there any other way of ensuring that a reasonable share of the profits go to those to be benefited by the charity?

PLEASE RETURN QUESTIONNAIRE BY SEPTEMBER 2, 1980, IN ENCLOSED ENVELOPE.

RLG:JSB:EDB:cs:44

APPENDIX E

Letter of Support From
Police Department

Seattle Police Department

Patrick S. Fitzsimons, Chief of Police
Charles Royer, Mayor



September 18, 1980

Ms. Regina L. Glenn, Director
Dept. of Licenses and Consumer Affairs
102 Municipal Building

Re: Charitable Solicitations Ordinance

Dear Ms. Glenn:

The Seattle Police Department has been concerned that the repeal of the Charitable Solicitations Ordinance proposed by the license code revision task force would eliminate the prohibition on begging and restrictions on street musicians contained in Section 358.1 of that ordinance.

Upon review of the opinion of Assistant City Attorney, Susan R. Sampson, of September 2, 1980, in which she concludes that that section is constitutionally defective, there appears to be no reason for its preservation.

Please keep this Department advised of the timetable for repeal so that if a decision is made to draft an ordinance to replace Section 358.1, it will be before the City Council at the appropriate time.

Very truly yours,

PATRICK S. FITZSIMONS
Chief of Police

A handwritten signature in cursive script, reading "Frederic C. Treadwell".

Frederic C. Treadwell
Associate Legal Advisor

FCT:ma

RECEIVED
SEP 19 1980

Licenses & Consumer Affairs

-28-

An equal employment opportunity - affirmative act. employer.
City of Seattle - Police Department, 610 Third Avenue, Seattle, Washington 98104

APPENDIX F

Regulatory Efforts by
Nearby Cities and Counties

FACT SHEET

1. An informal survey of local municipalities and counties has yielded the following information on charitable solicitation licensing.

City of Bellevue -- Requires business permit for \$1.00 fee. The charity is exempt from business taxes if they provide in advance a copy of their IRS Code §501(c)(3) reporting form. The focus of this license is on registration.

City of Renton -- \$4.00 fee charged for license. No door-to-door solicitation is permitted. Police check required. Focus of license is on registration.

City of Issaquah -- Registration using business license form. Fee not charged. No grounds for license denial.

Pierce County -- No license.

City of Everett -- Charitable solicitors required to purchase peddler license. \$2.00 fee charged. Focus on sale of items. Primary focus on registration.

City of Tacoma -- Regulatory license. \$60.00 fee for local charities, \$360.00 fee for non-local charities. Director Newson believes that it is working. He is not concerned about Schaumborg; he will operate under current ordinance until it is challenged.

City of Mercer Island -- \$10.00 registration. Police check.

City of Bothell -- City requires State permit. Bothell also requires charitable solicitors to inform the City when they are soliciting in the City. No fee is charged.

King County -- King County requires a regulatory license, but is seriously considering repeal of its license, especially in light of Schaumborg.

2. In order to protect consumers, the Consumer Affairs section could:

1. Register charities.
2. Obtain the information on charities from the State (licensing forms for over \$10,000, exemption forms for under \$10,000).
3. Refer people to the State. The State charities section does have a toll-free number.

MATRIX OF CHARITABLE SOLICITATION
 BY OTHER LOCAL GOVERNMENTAL UNITS

DLCA/EDB
 12/23/80 E.D.S.

Governmental Unit	License Required	Registration Required	Fee	Other Requirements	Comments
City of Bellevue	*		\$1.00	*A business permit is required, but the fee is reduced to \$1.00 if the charity files a copy of their IRS Code §501(c)(3) reporting form.	
City of Renton	Yes		\$4.00	No door-to-door solicitations. Police check required.	No standards for denial?
City of Issaquah		Yes	None		
Pierce County	None	None			
City of Everett	**	Yes	\$2.00	**A peddler's license is required.	
City of Tacoma	Yes		\$60.00 for local		
			\$360 for non-local		
City of Bothell		Yes	None	Proof of State license	
City of Mercer Island		Yes	\$10.00	Police check required	
King County	Yes		\$25.00 if over \$2500 a year		King County is considering repeal of its license.

APPENDIX G

Contact With the Public

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

November 17, 1980

M E M O R A N D U M

TO: All Interested Persons
FROM: Regina L. Glenn, Director
Department of Licenses and Consumer Affairs
SUBJECT: CHARITABLE SOLICITATION LICENSE

In order to provide the public with a fair opportunity to comment on possible revision or repeal of the Charitable Solicitation License, the Department of Licenses and Consumer Affairs has done the following things:

1. July 30, 1980 -- All chambers of commerce were sent a letter asking if they were interested in the Charitable Solicitation License. Four responses were received.
2. A mailing list was done on August 4, 1980, (letter attached) to all persons who had been licensed by the City from January 1, 1979 - August 4, 1980. 210 people were mailed a questionnaire, although a manual count indicated only 161 licenses were current. Responses to the questionnaire were asked for, and all interested parties were invited to attend a meeting with the Department.
3. 17 people attended the August 13, 1980 meeting (list attached).
4. August 25, 1980 -- The final questionnaire was mailed (attached). Responses were asked for by September 2, 1980. By October 31, 1980, 63 responses were received.
5. On September 18, 1980, a letter (attached) was sent to all persons who had by then expressed interest in the license review. People were invited to another meeting.
6. October 6, 1980 -- A public meeting was held at which 10 people attended (attached).

All Interested Persons
November 17, 1980
Page 2

7. Reacting to a criticism that the public at large had not been informed, notices were placed in the Seattle Post Intelligencer, Seattle Times, North American Post, The Facts, and The Medium, announcing another meeting on October 27, 1980. The cost of this was \$233.97.

8. Several letters were written and phone calls made to people who had missed the previous meeting, but had expressed interest in it.

9. October 27, 1980 -- only the person who had lodged the criticism came to the meeting.

10. Following this process, the Department reviewed alternative methods of providing the public with information concerning charitable solicitations (see attached memo), and decided that adequate information could be provided by use of the toll free number to the State charities licensing section.

RLG:JSB:EB:kp
Attachments

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON, }
COUNTY OF KING } ss.

Mary Katice, being first duly sworn on oath deposes and says: I am and at all times herein mentioned have been the Credit Secretary of the Seattle Post-Intelligencer. The Seattle Post-Intelligencer is, and for more than six months prior to the first date of publication hereinafter referred to, it has been a legal newspaper continually published daily in the English language in Seattle, King County, Washington, and now is and at all said times has been a newspaper of general circulation in said city, county and state. It is and at all of said times it was printed in whole or in part in an office maintained at the place of publication in the city aforesaid.

The annexed is a true copy of a notice which was published in regular and entire issues of the Seattle Post-Intelligencer (and not in a supplement thereof) one, times, to-wit, once each day, for a period of one consecutive day, commencing on the 21st day of October 19 80, and ending on the 21st day of October 19 80.

both dates inclusive. The said newspaper was regularly published and distributed to its subscribers during all of the said period.

Subscribed and sworn before me this 7th day of November 19 80.

Notary Public in and for the State of Washington, Residing at Seattle, Wash.

Fern #52

752—Legal Notices

On Monday, October 27, 1980, from 7:30 to 3:30 p.m., the Department of Licenses and Consumer Affairs, and the Department of Public Safety, will be holding a public hearing on the revision of the Motor Vehicle License. The license is being revised as part of the ongoing revision of the Seattle Uniform Code. The license is being revised to include a tentative proposal to require a tentative license holder to receive a tentative license based on opinions received from the Department of Licenses and Consumer Affairs, and the Law Department. If you are unable to attend the hearing, write comments to the Department of Licenses and Consumer Affairs, Room 102, Municipal Building, Seattle, WA 98101.

Affidavit of Publication

STATE OF WASHINGTON, } ss.
COUNTY OF KING,

E. FREEBERG being duly sworn, says that she is the principal Clerk of Seattle Times Company, publisher of THE SEATTLE TIMES, a daily newspaper, printed and published in Seattle, King County, State of Washington; that it is a newspaper of general circulation in said County and State; that it has been approved as a legal newspaper by order of the Superior Court of King County; that it has a duplicate copy of a classified ad _____, was published in said newspaper, and not in a supplement thereof, and is a true copy of the notice as it was printed in the regular and entire issue of said paper on the following day or days _____
October 20, 1980

and that the said newspaper was regularly distributed to its subscribers during all of said period.

E. Freeberg

Subscribed and sworn to before me this _____ day
of _____ October _____, 19 80 _____

Paul H. Hansen
Notary Public in and for the State of Washington
residing at Seattle

PUBLIC NOTICE
On Monday, October 27, 1980, from 12:30 p.m. to 2:00 p.m., the Department of Licenses, the Department of Public Health, and the Department of Social Services will hold a meeting in the Municipal Building, 1st Public Conference Room, 1st Floor, for the purpose of discussing the revision of the Certificate of Occupancy for the purpose of the State of Washington. The meeting will include a hearing on the proposed revision of the Certificate of Occupancy. The meeting is being held for the purpose of receiving comments from the public. For more information, please call Regina L. Green, Director of the Department of Licenses, at (206) 462-1100. If you are unable to attend the meeting, please write to me by October 27, 1980. Regina L. Green, Director, Department of Licenses, Room 102, Municipal Building, Seattle, WA 98104.

Titoben Publishing Co., Inc.
THE MEDIUM NEWS

P. O. BOX
SEATTLE, WASHIN
Phone: (206)

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON)
COUNTY OF KING) SS

The undersigned, being first duly sworn on oath
deposes and says: that he is the Advertising
Manager of the Medium, which is a legal
newspaper printed and published in the City of
Seattle, King County, Washington; of general
circulation in said City, County, and State that
the attached is a printed copy, which was pub-
lished in said newspaper:

PUBLIC NOTICE

On Monday, October 27, 1980, from
2:30 to 3:30 p.m., the Department of
Licenses and Consumer Affairs will hold a
meeting in Room 102, Municipal Building,
for public comment on the revision of the
Charitable Solicitation License. The license
is being evaluated as part of an ongoing
revision of the Seattle License Code.

Discussion will include a tentative pro-
posal to repeal the license, based on opi-
nions received from licensees and from the
Law Department, and based on City ex-
perience with the license.

For more information, please call Regina
L. Glenn, Director, at 625-2536. If you are
unable to attend the meeting, write com-
ments by October 27, to:

Regina L. Glenn, Director
Department of Licenses and
Consumer Affairs
Room 102, Municipal Building
Seattle, WA 98104

On the 22 day of Oct 1980
the _____ day of _____ 19 ____;
that the said newspaper was generally circulated
during all of said time, and has been published
Saturday excepted, for more than six months prior
to the date of the publication of this document, and
that said notice was published in the newspaper
proper, and not in supplement form.

The amount of fee charged for this
publication:

\$ 56.70
Madison (Pavia)

Subscribed and sworn to before me this 22
day of Oct 1980

W. Henry L. H. Clingan
Notary Public in and for
the State of Washington,
residing at King County,
Washington

Note--The above affidavit and fee
in in compliance with RCW 65.16.030
and RCW 16.090.

9"

The North American Post

517 80. MAIN STREET
SEATTLE, WASHINGTON 98104
PHONE 623-0100

AFFIDAVITS OF PUBLICATION

PUBLIC NOTICE

Takami Hibiya being duly sworn, say that he is the chief Editor of the NORTH AMERICAN POST, INC. publisher of the NORTH AMERICAN POST, a Japanese language newspaper, printed and published five days a week in Seattle, King County, State of Washington; that the annexed, PUBLIC NOTICE, was published in said newspaper, and not in supplement thereof, and is a true copy of the notice as it was printed in the regular and entire issue of said paper on the 20th of October 1980; and that the said newspaper was regularly distributed to its subscribers during all of said period.

Takami Hibiya
Takami Hibiya

Subscribed and sworn to before me this 21st day of 1980.

Marcel D. Cottrell

Notary Public and for the
State of Washington
Residing at Seattle

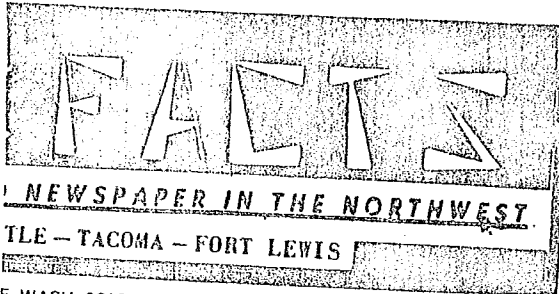
PUBLIC NOTICE

On Monday, October 27, 1980, from 2:30 to 3:30 p.m., the Department of Licenses and Consumer Affairs will hold a meeting in Room 102, Municipal Building, for public comment on the revision of the Charitable Solicitation License. The license is being evaluated as part of the ongoing revision of the Seattle License Code.

Discussion will include a tentative proposal to repeal the license, based on opinions received from license and the Law Department, and based on City experience with the license.

For more information, please call Regina L. Glenn, Director, at 625-2536. If you are unable to attend the meeting, write comments, by October 27, to:

Regina L. Glenn, Director
Department of Licenses and
Consumer Affairs
Room 102, Municipal Building
Seattle, WA 98104



E. WASH. 88122

EA 4-0552

, WASH.

627-5597

F PUBLICATION

id says that he is the publisher of THE FACTS general circulation. That said newspapers have prior to the date of newspaper in Tacoma/Pierce County Washington, and it is now and during maintained at the aforesaid place of publication

Affidavit of Publication

DEPT. OF LICENSES & CONSUMER

2x4

as it was published in regular issues (and not in supplement form) of said newspaper once each week for a period of ... weeks, consecutively, commencing on the ... day of Oct., 1980, and ending on the ... day of ..., both dates inclusive, and that said newspaper was regularly distributed to its subscribers during all of said period; that the full amount of the fee charged for the foregoing publication is the sum of \$ 32.00.

Subscribed and sworn to before me this ... day of ... 19...

Notary Public in and for the State of Washington, residing at Seattle.

RECEIVED
OCT 27 1980

Licenses & Consumer Affairs

Your
Seattle
Department of Licenses and Consumer Affairs

Regina L. Glenn, Director
Charles Royer, Mayor



August 4, 1980

M E M O R A N D U M

TO: All Interested Parties
FROM: Regina L. Glenn, Director
Department of Licenses and Consumer Affairs
SUBJECT: MEETING AUGUST 13, 1980, 3:30 P.M. IN THE MUNICIPAL BUILDING,
ROOM 304, RE: REVISION OF THE CHARITABLE SOLICITATION LICENSE.

As part of the License Code Revision, an ongoing process to eliminate or reform duplicative, unfair, or workable licenses, the Charitable Solicitation License is being reviewed. In order to accurately assess the needs of the public, I would appreciate your attendance at this meeting. The meeting will be held August 13, 1980, at 3:30 P.M. in the Municipal Building, Room 304.

AGENDA

1. Introduction by Carmen Claus, Assistant Director of the Department of Licenses and Consumer Affairs.
2. Review and comment on the Questionnaire Draft (attached).
3. Discussion of issues raised in the Questionnaire Draft.
4. Discuss need for an advisory committee for revising this license.
5. Open discussion.

If you cannot attend the meeting, please send comments by August 13 to Regina Glenn, Director, Department of Licenses and Consumer Affairs, Municipal Building, Room 102, Seattle, WA 98104, or call Jean Schiedler-Brown, License Code Revisor, at 625-5500 Ext. 16. Thank you for your help.

RLG:JSB:EDB:cs:666

Your
Seattle
Department of Licenses and Consumer Affairs

Regina L. Glenn, Director
Charles Royer, Mayor



August 4, 1980

CHARITABLE SOLICITATION QUESTIONNAIRE

Draft
For Discussion
Purposes Only

TO: All interested Parties
FROM: Regina L. Glenn, Director
Department of Licenses and Consumer Affairs

1. Is this license adequately protecting the public?
2. What hazards does this license fail to protect the public from?
3. Does the license unduly burden the licensee? If so, how?
4. How can the license be improved?
5. A recent U.S. Supreme Court opinion may invalidate the section of the Ordinance that limits expenditures for administrative costs of direct solicitation to less than 20%. Is there any other way of ensuring that a reasonable share of the profits go to those to be benefited by the charity?
6. Should this license be: ☒ revised ☐ repealed ☐ kept the same

PLEASE RETURN BY AUGUST 13.

License Code Revision, Department of Licenses and Consumer Affairs,
Municipal Building, Room 102, Seattle, WA 98104.

RLG:JSB:EDB:cs:cs

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

September 18, 1980

M E M O R A N D U M

TO: Persons Expressing Interest in Charitable Solicitation
License Revision

FROM: *Regina L. Glenn*
Regina L. Glenn, Director

SUBJECT: Preliminary Proposal Based on Results of Questionnaire
and Other Research

Thank you for taking the time to respond to our questionnaire which explored several alternative ways of revising the Charitable Solicitation License, including repeal, revision, and keeping it the same. The questionnaire results are attached for your information; they relate to other information gathered in this revision process in the following ways:

- 50% of respondents want to keep the license the same. This is not possible because the Law Department has advised us that the major enforcement provision, the limit on the amount of funds which can be spent for administration, is unconstitutional.
- No respondents were able to suggest alternative ways of monitoring charities, except to require filing for disclosure purposes.
- The State, which also licenses charities, already maintains on file the same information as required by the City.

At this time, I do not believe that the City can justify maintaining a license which cannot be enforced and which duplicates information available elsewhere. To do so would be contrary to the principles identified by the City Council in Resolution 24706, which states that licensing should be used only if:

- There is an imminent public hazard,
- Licensing can effectively address the hazard, and
- No other laws duplicate the licensed activity.

-42-

Memo to: Persons expressing interest in
charitable solicitation license revision
September 18, 1980
Page Two

Therefore, my preliminary proposal is to repeal this license. I would like to meet with you to discuss this proposal and to learn of your response, and any alternatives you may suggest. I invite you to a meeting in the Dept. of Licenses and Consumer Affairs Conference Room, on October 6, 1980, between 2 and 3 p.m.

Please call me at 625-2536, or call Jean Schiedler-Brown, Licence Code Revisor, at 625-5500, if you need further information.

RLG:JSB:kp

Attachment

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

CHARITABLE SOLICITATION QUESTIONNAIRE

August 25, 1980

As of September 19, 1980,
N = 60

TO: All Charitable Solicitation Licensees
FROM: Regina L. Glenn, Director
Department of Licenses and Consumer Affairs

The Department of Licenses and Consumer Affairs is considering the revision or repeal of the Seattle Charitable Solicitation License (Ordinance 48022 Sections 347.1 - 358.1). Briefly, the Ordinance requires:

- Full public disclosure of facts relating to persons and non-religious organizations soliciting funds from the public.
- Disclosure of the purposes for which funds are solicited.
- Disclosure of the actual use of the funds.

The Ordinance prohibits:

- Deceptive or dishonest statements and conduct in the solicitations for or in the name of a charity.

Your answers and comments on the following questions would be appreciated.

1. Should this license be: ☒ revised ☒ repealed ☒ kept the same? Other ☐ 5
2. Is this license adequately protecting the public from the hazards of:
 - A. Fraudulent solicitations? Yes ☒ 34 No ☒ 9 Other ☒ 17
 - B. Deceptive and dishonest representations? Yes ☒ 34 No ☒ 13 Other ☒ 13
 - C. Profits going to other than the named beneficiaries? Yes ☒ 32 No ☒ 13 Other ☒ 15
 - D. Other hazards? _____

3. Charities in the Seattle area must also be licensed by the State. The licenses differ only in that the State does not license charities that solicit less than \$10,000 per year unless they use professional fundraisers. (The City minimum figure is \$5,000.) Does the Seattle license provide additional protections to the public?

Yes 12 No 30 If so, what are they? Other 18

Duplication of licenses will catch more local coverage.
License as proof of legitimacy.

4. Does the Seattle license unduly burden licensee? Yes 27 No 24 Other 9
If it does, is it because of the:

A. Additional paperwork Yes 26 No ☐

B. License fee Yes 21 No ☐

C. Other burdens _____

Penalizes Seattle charities. Confusion of State/City standards.
Duplication.

5. What concerns, spending limits and disclosure requirements should be addressed in order to improve the Seattle License?

6. A recent U.S. Supreme Court may invalidate the section of the Ordinance that limits expenditures for administrative costs of direct solicitation to less than 20%. Is there any other way of ensuring that a reasonable share of the profits go to those to be benefited by the charity?

PLEASE RETURN QUESTIONNAIRE BY SEPTEMBER 2, 1980, IN ENCLOSED ENVELOPE.

RLG:JSB:EDB:cs;44

Your
Seattle
Department of Licenses and Consumer Affairs



Regina L. Glenn, Director
Charles Royer, Mayor

October 6, 1980

M E M O R A N D U M

TO: Interested Persons
FROM: *Regina L. Glenn*
Regina L. Glenn, Director
Department of Licenses and Consumer Affairs
SUBJECT: Preliminary Proposal -- Repeal of the Charitable
Solicitation License

The Department of Licenses and Consumer Affairs is recommending repeal of the Charitable Solicitation License (Ordinance 48022, Sections 347.1-358.1). This recommendation was arrived at for the following reasons.

1. The Law Department, in two separate opinions, has said that major sections of the Ordinance are unconstitutional. Specifically, they said that the 20% limitation on the administrative costs of direct solicitation is unconstitutional, that the provisional okay on the promotional plan is unconstitutional, that the prohibition against begging (as written) is unconstitutional, and that the limitations on street musicians are unconstitutional. Because these provisions are invalid, the license protections are reduced to mere disclosure statements and restrictions that are functionally impossible to enforce.
2. Industry response to repeal or revision was mixed. The responses were: Revision - 14-1/2, Repeal - 15-1/2, Kept the Same - 27, and Other - 5. Respondents to the survey indicated that except the Seattle License limit which is \$5,000 less than the State's, the Seattle license afforded no other protection than the State license supplies (by a margin of 31 to 11). Also, slightly more than half the respondents indicated that the Seattle license unduly burdened them.
3. The License Code Revision Task Force voted to support repeal because of the ineffectiveness of the license in combatting the problems it was to address, duplication of State Licensing efforts, burdensomeness to both charitable solicitation licensees and the Department of Licenses and Consumer Affairs, the current cost of enforcement, and the predicted cost of adequate enforcement.

(i) An inspector cannot learn of a fly-by-night solicitor and react in time to prevent the fraud unless the person comes to the Department for a license and files an accurate application. There has never been an individual formally charged with violation of these license provisions; no complaint has ever reached the written stage, but informal complaints are investigated.

Although the ordinance requires disclosure, disclosure statements cannot be checked for veracity without assigning audit personnel; staff time presently is limited to checking for consistency in the application and investigating inconsistencies.

(ii) The State licenses all professional fundraisers and solicitors. It also licenses charities that solicit more than \$10,000 per year (the State's exemptions are pretty much the same as Seattle's). The State also requires that all charities in Washington either be licensed or file an exemption form.

Seattle licenses all charities in Seattle, except for charities that believe they will solicit less than \$5,000 per year and meet other restrictions. Charities that are licensed, if they say that they will solicit less than \$5,000 per year, are not closely regulated by the City. They do not have to file disclosure statements and they are not checked routinely to see if they have violated the limit of the amount that they claimed they would solicit.

(iii) The respondents to the charitable solicitation survey indicated that they thought that the license fee was burdensome. Some also felt that the additional paperwork stemming from the license requirements was burdensome.

(iv) Enforcement of the Charitable Solicitation License requires 1/25 of the total enforcement time of all the investigators, although there are 89 other regulatory licenses that must be enforced.

(v) Adequate enforcement would require much more personnel. There are now only 161 charities licensed by the City of Seattle. As mentioned, this requires 1/25 of the time available for enforcement of all City licenses. Several years ago, there were more than 400 licensees. There is no way of telling how many charities are not being licensed by the City of Seattle. Enforcement of the licenses of all these potential licensees would be impossible without an army.

Preliminary Proposal
October 6, 1980
Page 3

(vi) Adequate enforcement of the current 161 licenses would require that the short form license be eliminated and that the license fee would be changed to more than \$140 per license.

RECOMMENDED ACTION: REPEAL CHARITABLE SOLICITATION LICENSE

RLG:JSB:kp

12/23/80

CHARITABLE SOLICITATION MAILING LIST

<u>ORGANIZATION</u>	<u>ADDRESS</u>
Christian Record Braille Found. c/o Karl Jorgensen	2455 "F" St. S.E.; Auburn, WA 98002
Seattle Assoc. of Club Women, Inc.	161 - 30th Street; Seattle, WA 98122
Green Peace c/o Michael Baine	4534½ University Way; Seattle, WA 98105
Lions - White Cane c/o Chester Lesh	825 Dexter Horton Bldg; Seattle, WA 98104
Sudden Infant Death Syndrome Found. c/o Wendy Wright	Childrens Orthopedic Hospital 4800 Sandpoint Way, P.O. Box C-5371 Seattle, WA 98105
Military Order of the Purple Heart Chapter 12; c/o Robert Anderson	915 2nd Ave, Rm 1042; Seattle, WA 98174
March of Dimes c/o Mort S. Bobrow	230 Securities Bldg; Seattle, WA 98101
Columbia Club of Seattle c/o Carl R. Johnson	424 Columbia Street; Seattle, WA 98104
Northwest Center for the Retarded c/o William Hawkes	1600 W. Armory Way; Seattle, WA 98119
Planned Parenthood of Seattle/King Co. c/o Anne Adams	2211 East Madison; Seattle, WA 98112
United Way of King County c/o Ben Linderugel or Ken Ristine	107 Cherry Street; Seattle, WA 98104
Children's Clinic and Preschool c/o Kate Leone	1850 Boyer East; Seattle, WA 98112
Seattle Center Foundation c/o Stephanie Jones	Seattle Center; Research & Development; Seattle, WA
Univ. of Washington YWCA c/o Kate Hunter	4224 Univ. Way N.E.; Seattle, WA 98105

Charitable Solicitation
List - Page 2

<u>ORGANIZATION</u>	<u>ADDRESS</u>
Friends of Seattle Public Library c/o John Stan	454 Central Building; Seattle, WA 98104
Community Home Health Care c/o Kathleen Southwick	2627 Eastlake Ave. E; Seattle, WA 98102
PICO/NW c/o Temmie Brier	810 18th Ave.; Seattle, WA 98122
Puget Sound Bowlers Assoc. c/o John L. Thompson	8008 16th Ave. NW; Seattle, WA 98117
Queen Anne/Magnolia Lions Club c/o Glenn M. Light	401 -2nd Ave. W.; Seattle, WA 98119
American Legion Auxiliary c/o Jean Mathews	9226 35th S.W.; Seattle, WA 98126
American Cancer Society King County Unit	2120 1st Ave. N.; Seattle, WA 98109
Presbyterian Home c/o Samuel & Jessie Kenney	7125 Fauntleroy Way SW; Seattle, 98136
Forest Ridge c/o R.H. Burrell	4800 139th Ave SE; Seattle, WA 98006
Downtown Daycare	1217 6th Ave.; Seattle, WA 98101
Concilio of Spanish People of King County	107 Cherry St.; Seattle, WA 98104
St. Alphonsus School c/o Eugene Martinez	1411 N.W. 59th St.; Seattle, WA 98107
Seattle Symphony Orchestra	305 Harrison St.; Seattle, WA 98109
National Multiple Sclerosis Society	309 8th Ave. N.; Seattle, WA 98109
Sisters of Providence c/o Jack McCarty	Melbourne House - 10th Floor 1511 3rd Ave.; Seattle, WA 98101
Seattle Psychoanalytic Institute	4029 E. Madison St.; Seattle, WA 98112
Seattle Pro Musica Society	8238 Ashworth Ave. N.; Seattle, 98103
PAWS	P.O. BOX 1037; Lynnwood, WA 98036

Charitable Solicitation
List - Page 3

<u>ORGANIZATION</u>	<u>ADDRESS</u>
Columbia Club of Seattle	424 Columbia St.; Seattle, WA 98104
Wing Luke Museum	414 - 8th Ave.; Seattle, WA 98104
Totem Girl Scout Council c/o Jayne Brumbaugh	3611 Woodland Park Ave. N., 98103
Order of the Eastern Star Ark Chapter #86 c/o Zola Abney	8316 46th Ave. S.; Seattle, WA 98118
Cystic Fibrosis Foundation Washington/Alaska Chapter	14310 Greenwood Ave. N.; Seattle 98133
Consumer Credit Counseling Service of Seattle, Inc.	2316 - 6th Ave.; Seattle, WA 98121
Washington Lung Association	216 Broadway E.; Seattle, WA 98102
Amigos de las America c/o John Baxter	216 - 1st Ave. S.; Seattle 98104
Pacific N.W. Ballet Assoc. #105	305 Harrison St., Seattle, WA 98109
Seattle Seachordsmen	34422 38th Ave. S; Auburn, WA 98002
Seattle Emergency Housing Service	3025 S. Morgan St., Seattle, WA 98108
Kiwanis Club of Ballard (Seattle)	15062 Westminster Way N., Seattle 98133
American Diabetes Assoc. c/o James Neidigh	1000 Seneca St.; Seattle, WA 98101
John F. Kennedy Memorial High School	140 S. 140th St., Seattle, WA 98168
Wash. State Heart Assoc.	4414 Woodland Pk Ave N; Seattle 98103
Club Northwest	320 NE 72nd St.; Seattle, WA 98115
Childbirth Educ. Assoc. of Seattle	1443 NW 54th St.; Seattle, WA 98107
Pike Market Community Clinic	1931 - 1st Ave; Seattle, WA 98101
Inter-Fraternity Council of the University of Washington	301-B HUB; U.of W. - FK 10, 98195
Variety Club - Heart Fund	2318 2nd Ave.; Seattle, WA 98121
Interaction-Transition	935 16th Ave.; Seattle, WA 98122

Charitable Solicitation
List - Page 4

ORGANIZATION

ADDRESS

Childrens' Home Society of Wash. c/o Pat Lewis	P.O. Box 15190, Wedgewood Station; Seattle, WA 98115
Lake City Western Vigilantes	P. O. Box 25556; Seattle, WA 98125
Seattle King County Council of Camp Fire Girls	8511 - 15th Ave NE; Seattle, WA 98115
Seattle Cascades Drum & Bugle Corps	18570 Wallingford Ave N; Seattle, 98133
Seattle Central Community College Foundation	1701 Broadway Ave, room BE-4180 Seattle, WA 98122
Hatasu Temple #1 c/o Norma Jean Betzvog	919 NW 56th St; Seattle, WA 98107
Seattle Kiwanis Memorial Fund	1326 5th Ave; Room 621; Seattle 98101
Greenpeace Foundation of Seattle	4534½ University Way NE; Seattle 98105
Seattle Religious Arts Society	533 3rd Ave. W; #702 P.O. Box 9054; Seattle, WA 98109
West Seattle Soccer Club	9226 11th Ave SW; Seattle, WA 98106
Asian Family Affair	417 Rainier Ave S; PO Box 3445 Seattle, WA 98114
National Council of Negro Women, Seattle Chapter c/o LaVerne Hall	P.O. Box 18739; Seattle, WA 98118
Save A Neighborhood	1138 22nd Ave E; Seattle, WA 98112
Community Services For the Blind	1530 Queen Anne Ave. N; Seattle 98109
Central Kiwanis c/o Ross Burks	221 Empire Way E; Seattle, WA 98112
Sydney Miller Free Medical Clinic	169 19th Ave; Seattle, WA 98122
National Jewish Hospital Research c/o John Sylvester	Hoge Bldg., 4th fl., 2nd Ave. & Cherry St. Seattle, WA 98104
Wiser Institute	16045 25th Ave NE; Seattle, WA 98155
Independent Colleges of Wash.	100 S. King St., #360; Seattle, 98104
Military Order of Purple Heart #12 c/o John Fietcher	418 SW 200th St., Seattle, WA 98166

Charitable Solicitation
List - Page 5

ORGANIZATION	ADDRESS
Puget Sound Big Sisters #201	324 15th Ave E; Seattle, WA 98112
Cooperative for American Relief Everywhere, Inc. (CARE) c/o Frederick & Nelson	5th Ave. & Pine St; Seattle, WA 98111
Chief Seattle Council, Boy Scouts of America	3120 Rainier Ave S; Seattle, WA 98144
The Veterans of Foreign War, 2nd Dist. c/o Oskar S. Grewe	4245 8th Ave NE; Seattle, WA 98105
Junior League of Seattle, Inc. c/o Karen S. Bennett	1803 - 42nd Ave. E; Seattle, WA 98112
Red Cross c/o Mrs. Sears	P.O. Box 24286; Seattle, WA 98124
Seattle Young Artists c/o R. Taylor	6804 - 46th N.E.; Seattle, WA 98115
Dept. of Licensing Charities Section c/o Doris Loffler, Chief Auditor	Olympia, WA 98504
Dept. of Licensing c/o Jim Buck	King County Administration Bldg. Seattle, WA 98104
CHAMBER OF COMMERCE:	5416 1/2 20th N.W.; Seattle 98107 15030 8th Ave SW; Seattle 98166 508 1/2 7th Ave S; Seattle 98104 12707 30th Ave NE; Seattle 98103 616 4th Ave; Seattle 98119 P.O. Box 60054; Seattle 98133 4210 SW Oregon ST; Seattle 98116 550 106th Ave NE; Bellevue 98004 201 Broad Street; Seattle 98121 6870 Woodlawn Ave NE; Seattle 98115 3400 W. McGraw St; Seattle 98199 5504 Rainier S; Seattle 98118 4710 University Way NE; Seattle 98105 P.O. Box 46233; Seattle 98146 1009 Main St; Bothell 98011 1935 15th Ave E; Seattle 98102 8541 Greenwood Ave N; Seattle 98103 P.O. Box 25127; Seattle 98125 300 Rainier Ave N; Seattle 98055 8613 35th Ave NE; Seattle 98115

Your City, Seattle

Executive Department-Office of Management and Budget

John Saven, Director
Charles Royer, Mayor



February 23, 1981

The Honorable Douglas Jewett
City Attorney
City of Seattle

Saven
FEB 24 1981
CITY OF SEATTLE
OFFICE OF MANAGEMENT AND BUDGET

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Office of Management and Budget

SUBJECT: Repeal of the City's Charitable Solicitation License

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (x) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By
John Saven
John Saven
Budget Director

JS/

Enclosure

An equal employment opportunity - affirmative action employer

City of Seattle-Executive Department Office of Management and Budget Room 200 Municipal Building Seattle, Washington 98104 625-2551

May 27, 1981

All Interested Persons

Sam Smith, Chairman
Public Safety and Justice Committee

Licensing and Regulation of Charitable Solicitation and Begging in the City

This is to advise you that the City Council's Public Safety and Justice Committee will hold a public hearing, discussion, and vote on Council Bill 102137, an ordinance repealing certain sections of the License Code (Ordinance 48022) relating to the licensing and regulation of charitable solicitation; and Council Bill 102159, an ordinance prohibiting begging in the City, and adding a new Section 21A.12.120 to the Seattle Criminal Code relating thereto.

The hearing will be held at 9:30 a.m. on Wednesday, June 3, 1981 in the City Council Chambers, 11th Floor, Seattle Municipal Building.

You and/or your representatives are invited to be present and participate.

SS:fh:kc

File/Bill: C.B.102137

Date/Time: 6-3-81 9-36 AM

[illegible]

The City of Seattle--Legislative Department

MR. PRESIDENT:

PSJ

Date Reported

JUN 8 1981

JUN 8 - 1981

Your Committee on

to which was referred

C.B. 102137

Repealing Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), relating to the licensing and regulation of Charitable Solicitations.

Do PASS

Jack M. ...

Chairman
J.R.

Chairman

Committee

Committee

ORDINANCE 109231

AN ORDINANCE repealing Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), relating to the licensing and regulation of Charitable Solicitations.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Sections 347.1, 347.2, 348.1, 348.2, 348.3, 349, 350.1, 350.2, 351, 352, 353, 354, 355, 356, 357, and 358.1 of the License Code (Ordinance 48022), and Section 3 of Ordinance 105430 (Seattle Municipal Code 6.12), and all other Ordinances or parts thereof in conflict herewith are hereby repealed.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage; and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provision of the city charter.

Passed by the City Council the 8th day of June, 1981, and signed by me in open session in authentication of its passage this 8th day of June, 1981.

Approved by me this 10th day of June, 1981.

Filed by me this 10th day of June, 1981.

Attest: Tim Hill
City Comptroller and City Clerk.

(SEAL)

By: Theresa Dumbard
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, June 16, 1981.
(C-778)

C-775

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

..... Ordinance No. 109931

..... was published on June 16, 1981

.....
Subscribed and sworn to before me on
June 16, 1981

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Notary Public for the State of Washington,
residing in Seattle.